

18th October 1927]

* Mr. G. HARISARVOTTAMA RAO :—" Mr. President, I desire to draw your attention particularly to the wording of sub-clauses (1) and (4) of Rule 30. You were asking, Sir, whether sub-clause (2) is absolute and whether it would override Standing Order 34."

* The hon. the PRESIDENT :—" It has to be taken as exhaustive."

* Mr. G. HARISARVOTTAMA RAO :—" Yes. Sub-clause (1) says :

'No motion for appropriation can be made except on the recommendation of the Governor communicated to the Council.'

"Then sub-clause (4) says :

'No motion shall be made for the reduction of a grant as a whole until all motions for the omission or reduction of definite items within that grant have been discussed.'

"The language of the law as laid down here begins with the words. No motion for such and such purpose can be made. It definitely lays down where there is a prohibition. In this case, in addition to the point mentioned by my learned colleague from Malabar, you will find that the language of sub-section (2) also does not lend itself to the interpretation that it is exhaustive. If the law wanted it to be exhaustive, the clause would have been worded in the same way as sub-sections (1) and (4)."

* The hon. the PRESIDENT :—" I have tentatively given a ruling on a previous occasion regarding this matter. I would like to examine the question very carefully and give my ruling to-morrow. I now adjourn the House."

The House will re-assemble to-morrow at 11 o'clock.

The House accordingly adjourned at 3-30 p.m.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX I.

[Vide answer to question No. 518 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 18th October 1927, page 23 supra.]

G.O. No. 506, Public, dated 1st June 1927.

The All-India Spinners' Association is described in rule 1 of its constitution as an organization unaffected and uncontrolled by politics, political changes or political bodies. But the same rule states that it is an association established with the consent of the All-India Congress Committee as an integral part of the Congress organization. Further, in rules 9-11, the Association declares itself prepared to receive and acknowledge yarn subscriptions for membership of the Congress. So long therefore as the All-India Spinners' Association functions under these rules, it must be regarded as a political association. The Khadi fund being in aid of this association, subscription to it by Government servants is prohibited in rule 23 (1) of the Government Servants' Conduct Rules.

(By order of the Governor in Council)

A. Y. G. CAMPBELL,
Chief Secretary.

To M.R.Ry. R. Ramaswami Ayyangar Avargal, B.A., B.L., Vakil, Paramagudi (Rannad district), with reference to his letter, dated 2nd March 1927.
,, all Heads of Departments, including Collectors and District and Sessions Judges.
,, Departments of the Secretariat.